

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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**DARRYLE EDWARD TATE,**

**Plaintiff,**

**vs.**

**No. 2:16-cv-2719- STA-egb**

**MEMPHIS CITY POLICE  
DEPARTMENT, et al.,**

**Defendants.**

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**ORDER EXTENDING DISCOVERY DEADLINE TO TAKE PLAINTIFF'S  
DEPOSITION**

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Before the Court is Defendants' Motion for an Order Extending Discovery Deadline to Take Plaintiff's Deposition. (ECF No. 39.) Plaintiff has not responded to the Motion. As set forth below, the Motion is GRANTED.

On May 11, 2017, the Defendants served their First Set of Interrogatories and First Request for Production of Documents and Tangible Things to Plaintiff Darryle Edward Tate. On July 20, 2017, Defendants filed a motion for an Order compelling Plaintiff to respond to Defendants' discovery responses. (ECF No. 38.) Since Defendants have not received Plaintiff's discovery responses, and the deadline to complete all discovery is August 11, 2017, Defendants request an extension of the discovery deadline to allow Defendants time to depose Plaintiff after Plaintiff provides discovery responses.

Federal Rule of Civil Procedure 6(b) states, in part: "[w]hen an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension

expires.” Moreover, Rule 16(b) provides that a scheduling order “may be modified only for good cause and with the judge's consent.”

The discovery deadline set forth in the Court’s Scheduling Order is therefore extended to allow Defendants time to depose Plaintiff after Defendants receive Plaintiff’s discovery responses in this matter.

IT IS SO ORDERED this 1st day of August, 2017.

**s/ S. Thomas Anderson**  
S. THOMAS ANDERSON  
CHIEF UNITED STATES DISTRICT JUDGE